

ENTERED

March 27, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
VS.	§	CIVIL ACTION NO. 7:19-CV-270
	§	
30.00 ACRES OF LAND, MORE OR	§	
LESS, <i>et al</i> ,	§	
	§	
Defendants.	§	

ORDER

The Court now considers “Defendant’s Unopposed Motion for Extension of Time.”¹ The Court previously ordered the parties to submit briefs and any accompanying evidence on the issue of just compensation in this case by March 27, 2020,² but Aleida Flores (“hereafter, “Defendant”) now seeks “an extension of that deadline in light of the COVID-19 pandemic” which has disrupted Defendant’s ability to “compile and finalize the evidence to accompany her just compensation brief” by complicating necessary “public and private business operations and activities.”³

Federal Rule of Civil Procedure 16(b)(4) requires good cause to modify a scheduling order.⁴ The Court takes judicial notice of the proclamations and orders of various authorities recognizing a health emergency and limiting travel and person-to-person contact.⁵ The Court

¹ Dkt. No. 24.

² Dkt. No. 23.

³ Dkt. No. 24 at 1–2.

⁴ FED. R. CIV. P. 16(b)(4) (“A schedule may be modified only for good cause and with the judge’s consent.”).

⁵ See Proclamation No. 9994, 85 Fed. Reg. 15,337 (Mar. 13, 2020) (Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak); Tex. Exec. Order No. GA 08 (Mar. 19, 2020) (Relating to COVID-19 preparedness and mitigation); Hidalgo Cty., Tex., Shelter-at-Home Order, <https://www.hidalgocounty.us/DocumentCenter/View/36748/3252020-Final-Modified-Emergency-Orders> (eff. Mar. 26, 2020); *Restrictions On Visitors To The McAllen U.S. Courthouse During The COVID-19 Pandemic*, Gen. Order No. M-2020-1 (Mar. 20, 2020), <https://www.txs.uscourts.gov/sites/txs/files/Special%20Order%20M-2020-1%20Restrictions%20on%20Visitors%20to%20McAllen%20During%20COVID-19.pdf>.

finds good cause in the unopposed nature of the motion and the time needed by Defendant to finalize her just compensation brief and compile all necessary evidence. The Court **GRANTS** the motion and extends the parties' deadline to file their just compensation briefs and evidence to **April 27, 2020.**

IT IS SO ORDERED.

DONE at McAllen, Texas, this 27th day of March, 2020.

A handwritten signature in black ink, appearing to read "M. Alvarez", is written over a horizontal line.

Micaela Alvarez
United States District Judge